



Vacaville Police Department

John Carli, Chief of Police
660 Merchant Street
Vacaville, California 95688

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SOLANO SUPERIOR COURT

JUL 03 2017

JUDGE ROBERT C. FRACCHIA
DEPT. 25

June 28, 2017

Honorable Robert C. Fracchia, Presiding Judge
Hall of Justice
Department 25 Room 306
600 Union Avenue
Fairfield, CA 94533

**SUBJECT: RESPONSES TO 2016-2017 GRAND JURY REPORT ENTITLED:
CIVIL ASSET FORFEITURE: A FUNCTIONAL REVIEW**

Dear Judge Fracchia:

This letter shall serve as the City of Vacaville Police Department's response, in accordance with Penal Code §933.05, to three findings and recommendations in the 2016-2017 Grand Jury Report entitled "Civil Asset Forfeiture: A Functional Review," as approved by the Vacaville City Council on June 27, 2017.

City of Vacaville Police Department (Findings 1, 2 and 5) – Responses:

FINDING 1

Annual financial audit of all credits and debits to the seized proceeds holding account is not performed as required by California Health and Safety Code §11469. The code also specifies seizing agencies shall ensure seized property is protected and its value preserved.

RESPONSE TO FINDING 1

While the department had not performed an internal account audit reconciling to the General Ledger; the funds related to our asset seizure and asset forfeiture are included in the citywide annual audit by our independent auditors.

RECOMMENDATION 1

Applicable agencies perform annual audits by working with the Solano County District Attorney's Office to track their cases that are still currently being adjudicated.



Vacaville Police Department

RESPONSE TO RECOMMENDATION 1

The City of Vacaville Police Department is currently working with our accounting department to reconcile asset seizure account balances. Also, we have discussed open cases with the Solano County District Attorney's office, and tentatively will be meeting quarterly to review and discuss outstanding cases. It is our intent to perform an audit and reconcile these accounts by December 31, 2017.

FINDING 2

Agencies are not returning proceeds that are not forfeited or claimed to the property owner and following proper escheatment procedures per California Government Code sections 50050 – 50057.

RESPONSE TO FINDING 2

The City of Vacaville Police Department will research proceeds and work with the Solano County District Attorney's office to determine which items need to follow the proper escheatment procedures.

RECOMMENDATION 2

Agencies return proceeds that are not forfeited or claimed to the property owner and follow proper escheatment procedures per California Government Code sections 50050 – 50057.

RESPONSE TO RECOMMENDATION 2

The City of Vacaville currently does have an escheatment process for outstanding checks issued. However, upon completion of our internal audit and funds are identified as not forfeited or claimed, the police department will work with our accounting department to ensure proceeds follow the proper escheatment procedures.

FINDING 5

Transaction descriptions printed on General Ledger reports do not always include an adequate identifying case reference number for research. Key information is either missing or not accurate due to bookkeeping software system limitations that cause information to truncate when printed. (Fairfield, Rio Vista, Vacaville, and County Sheriff's Office)

RESPONSE TO FINDING 5

The City of Vacaville Police Department agrees with the finding.

RECOMMENDATION 5

County and City staff responsible for GL data input review their policies and procedures to ensure key case reference information is entered at beginning of the description to be available on printed reports.



RESPONSE TO RECOMMENDATION 5

While the City of Vacaville Police Department has not yet implemented this recommendation, the finance supervisor is currently reviewing procedures for these transactions to develop a process and procedures to consistently process the key identifying descriptions provided by the police department. It is anticipated that this recommendation will be implemented by July 1, 2017.

Respectfully,

A handwritten signature in blue ink, appearing to read "John Carli".

John Carli
Chief of Police
City of Vacaville

cc: Solano County Grand Jury
County Administrator's Office